IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF TEXAS MARSHALL DIVISION

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§ CIVIL ACTION NO. 2:07-CV-1-DF
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ORDER

Having reviewed the Plaintiff's First Amended Complaint in this action, the court has determined that the undersigned and his spouse are putative members of the class and recusal is therefore mandated by 28 U.S.C. § 455(b)(4). *See Tramonte v. Chrysler Corp.*, 136 F.3d 1025, 1030 (5th Cir. 1998).

It is hereby **ORDERED** that the undersigned United States District Judge recuses himself from this cause.

SIGNED this 1st day of February, 2008.

DAVID FOLSOM

UNITED STATES DISTRICT JUDGE